

DATE 6-5-09
LOCATION Beaumont Division
JUDGE Marcia Crone
DEPUTY CLERK Jill Veazey
RPTR/ECRO Belynda Champagne
TAPE # B E
USPO _____
INTERPRETER _____
BEGIN 1:36

CASE NUMBER 1:07cr142

USA Joseph Batte and John Craft Assigned
VS Joseph Batte and John Craft Appeared

Michael Bacote

Defendant

Gerald Bourque and David Cunningham

Attorneys

STATUS CONFERENCE

☒ Status Conference held. ☒ Motion hearing held. ☐ Telephone Conference held.

STATUS CONFERENCE & MOTION HEARING held before Judge Marcia Crone. 1:36 Court begins. Parties make announcements. Mr. Bourque addresses Court regarding reason for status conference. Mr. Bourque addresses Court regarding possible stipulations that may be entered between parties. Mr. Bourque explains that defense would like to have stipulations that are agreed upon entered and admitted today pre-trial. 1:39 Mr. Cunningham addresses Court and states oral motion for leave to file motion in limine 1:41 Court grants motion and will allow defense to file motion in limine by 5:00 p.m. on 6/9/09. 1:42 Mr. Bacote addresses Court. Mr. Bacote request for new attorneys or to proceed pro se. 1:43 Court responds to Mr. Bacote. Mr. Bacote responds. Court responds. 1:45 Mr. Cunningham responds to Court regarding statements being made by Mr. Bacote. Mr. Bacote responds. Mr. Cunningham responds. Court responds. Court explains to Mr. Bacote that he is not qualified to represent himself and explains that the govt has decided to decline to seek the death penalty due to Mr. Bacote's mental status. Mr. Bacote responds. Court responds and questions Mr. Bacote regarding ability to proceed pro se. Mr. Bacote responds. Court responds. 2:01 Mr. Cunningham responds. 2:03 Mr. Batte responds. Mr. Batte states that the deft has the right to represent himself although that is not a good idea. Mr. Cunningham responds. Court responds. 2:07 Mr. Bourque responds. Court responds. Court will rule on and enter written orders motions at a latter time for new counsel & to proceed pro se [Docs. 276, 277, 282]. Mr. Batte offers stipulations as Govt Trial Exhibits 2, 25C, 26B, 27A, 29C,35. 2:15 Court admits exhibits Govt Trial Exhibits 2, 25C, 26B, 27A, 29C,35. Court addresses parties regarding other pretrial matters. Court instructs Deft to file motion in limine by 6/9/09 and Govt to respond to deft motion in limine by 6/12/09. Court addresses other pretrial matters. 2:20 Mr. Batte states that in light of the stipulations entered, the govt witness list will be significantly less. Govt will file an amended witness list. Court responds. 2:21 Mr. Cunningham addresses Court. Mr. Batte responds. 2:24 Court adjourned.

- ☐ Motion hearing called. _____
☐ Competency Hearing _____
☐ Rule invoked _____
☐ Govt ☐ Dft evidence presented
☐ Court Exhibit List ☒ Govt Exhibit List ☐ Govt Witness List ☐ Dft Exhibit List ☐ Dft Witness List

☐ Dft bond ☐ set or ☐ reset to \$ _____ ☐ cash ☐ surety ☐ 10% ☐ PR ☐ unsecured
☒ Dft Michael Bacote REMANDED to custody of USM
☐ (LC). (only if previously on bond or release) ☒ Minutes filed.

Court Adjourned 2:24 pm